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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,510	09/07/2005	Lukasz Wlodarczyk	09669/058001	5269

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EXAMINER

SHERKAT, AREZOO

ART UNIT	PAPER NUMBER
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2431

NOTIFICATION DATE	DELIVERY MODE
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10/09/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/530,510	Applicant(s) WLODARCZYK, LUKASZ	
	Examiner AREZOO SHERKAT	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/6/05 & 11/9/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-9 are presented for examination.

Information Disclosure Statement

The information disclosure statements (IDS), which were submitted 4/6/2005 and 11/9/2005, are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim1, and 4-9 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 02/059728 to Charles Spitz and Spitz hereinafter.

Regarding claim 1, Spitz discloses a signature creation device comprising:

a signature module arranged to sign data, characterized in that the signature creation device comprises a parser module arranged to check the data against rules, wherein the rules being are stored on the signature creation device (i.e., The signing system parses the document to be signed and compares information obtained thereby to the access control rules stored in the database to determine whether the authorized

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user is authorized to have the document signed)(page 2, par. 3-4 and page 5, par. 3-4 and page 8, par. 2-3).

Regarding claim 4, Spitz discloses the signature creation device of claim 1, wherein the signature creation device further comprises a hashing module and a padding module (i.e., the document is signed and packaged before being forwarded to the end recipient)(page 15, lines 10-18).

Regarding claim 5, Spitz discloses the signature creation device of claim 1, wherein the data to be signed follows a predefined template (i.e., XML document has a predefined template and it can be parsed into tokens or words using lexical analysis)(page 8, par. 2-3).

Regarding claim 6, Spitz discloses the signature creation device of claim 5, wherein the data to be signed are in XML format (i.e., XML document has a predefined template and it can be parsed into tokens or words using lexical analysis)(page 8, par. 2-3).

Regarding claim 7, Spitz discloses the signature creation device of claim 5, wherein the data to be signed are in HTML format (i.e., any document with a predefined template such as XML, HTML, or RTF document)(page 8, par. 2-3).

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Regarding claim 8, Spitz discloses the signature creation device of claim 5, wherein the data to be signed are in RTF format(i.e., any document with a predefined template such as XML, HTML, or RTF document)(page 8, par. 2-3).

Regarding claim 9, Spitz discloses a method of signing data using a signature creation device, wherein the signature creation device comprises a signature module and a parser module, the method comprising:

an analyzing step, in which the parser module analyzes the data against rules stored within the signature creation device (i.e., The signing system parses the document to be signed and compares information obtained thereby to the access control rules stored in the database to determine whether the authorized user is authorized to have the document signed)(page 2, par. 3-4 and page 5, par. 3-4 and page 8, par. 2-3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 02/059728 to Charles Spitz and Spitz hereinafter, in view of WO 02/23367 to Azzolina et al., and Azzolina hereinafter.

Regarding claim 2, Spitz does not explicitly disclose wherein the signature creation device is a smartcard.

However, Azzolina discloses the signature creation device is a smartcard (figure 2, pages 10-12).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify teachings of Spitz with teachings of Azzolina to include the functionality claimed by Spitz on a smart card as disclosed by Azzolina. One of ordinary skill in the art would have been motivated by the suggestion of Azzolina to provide the issuer of the smart object, smart device, or smart card with the capability to control the end-user's ability to access and interact with the network (Azzolina, page 5, lines 18-20).

Regarding claim 3, Spitz does not explicitly disclose wherein the smart card comprises an integrated circuit provided with high communication speed feature.

However, Azzolina discloses wherein the smart card comprises an integrated circuit provided with high communication speed features (page 10, lines 1-30 and page 11, lines 1-12).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify teachings of Spitz with teachings of Azzolina to include the functionality claimed by Spitz on an integrated circuit such as a smart card as disclosed by Azzolina. One of ordinary skill in the art would have been motivated by the suggestion of Azzolina to provide the issuer of the smart object, smart device, or smart card with the capability to control the end-user's ability to access and interact with the network (Azzolina, page 5, lines 18-20).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see the attached PTO-892 for a complete listing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AREZOO SHERKAT whose telephone number is (571)272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Arezoo Sherkat/

Patent Examiner

Group 2131

Sep. 29, 2008

/Syed Zia/

Primary Examiner, Art Unit 2131